

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. William H. Walls
v. : Crim. No. 04-~~722~~ (WHW)
772
ANTHONY STEWART :
:
: **CONSENT ORDER FOR**
: **CONDITIONAL RELEASE**
: **UNDER**
: **18 U.S.C. § 4243(f) and (g)**

WHEREAS this Court, by Order dated October 25, 2004, found Anthony Stewart not guilty, but only by reason of mental illness; and

WHEREAS the Court, upon a hearing pursuant to 18 U.S.C. § 4243(c), found that Anthony Stewart suffered from a mental disease or defect and could not demonstrate by clear and convincing evidence that his unconditional release would not create substantial risk of bodily injury to another person or serious damage of property of another pursuant to 18 U.S.C. § 4243(c); and

WHEREAS the Court therefore signed an order dated May 17, 2005 committing Anthony Stewart to the custody of the Bureau of Prisons until such time as Anthony Stewart's mental condition was such that his release, or his conditional release under a prescribed regimen of medical, psychiatric or psychological care or treatment would not create a substantial risk of bodily injury to another person or serious damage of property of another; and

WHEREAS the Bureau of Prison's Federal Medical Center at Devens, Massachusetts ("FMCDM") recommended Anthony Stewart be released upon conditions outlined in its November 25, 2008 Conditional Release Letter; and

WHEREAS this Court, by Order dated January 23, 2009, conditionally released Anthony Stewart from the custody of the Bureau of Prisons upon fulfillment of all recommended conditions as set forth in the Bureau of Prison's Conditional Release Letter dated November 25, 2008; and

WHEREAS this Court, by Order dated December 19, 2012 revoked the conditional release imposed on Anthony Stewart on January 23, 2009 pursuant to 18 U.S.C. § 4243(g) and ordered Anthony Stewart committed to the custody of the Attorney General under 18 U.S.C. § 4243(e) until such time as Anthony Stewart's mental condition was such that his release, or his conditional release under a prescribed regimen of medical, psychiatric, or psychological care or treatment, would not create a substantial risk of bodily injury to another person or serious damage of property of another; and

WHEREAS the FMCDM has submitted to the Court a Conditional Release letter ("CRL"), dated March 7, 2016; a Certificate of Recovery ("COR"), dated March 10, 2016; and a Risk Assessment Panel ("RAP"), dated April 8, 2015; and

WHEREAS the FMCDM is recommending Anthony Stewart be released upon conditions outlined in its CRL; and

WHEREAS the parties are in agreement that Anthony Stewart should be released pursuant to the conditions set forth in the FMCDM's CRL;

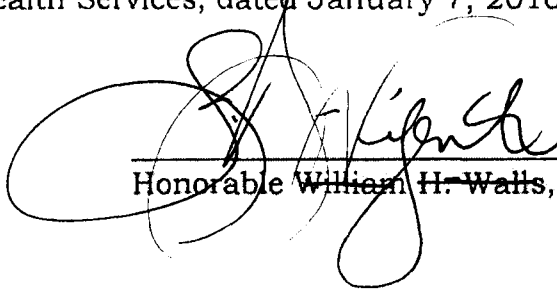
The Court hereby finds that Anthony Stewart has recovered from his mental disease to such an extent that his conditional release under a prescribed regimen of medical, psychiatric and psychological care and treatment will no longer create a substantial risk of bodily injury to another person or serious damage of property of another.

IT IS THEREFORE, ORDERED,

ON THIS 12th day of May, 2016 that:

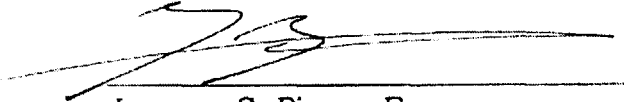
1. Anthony Stewart be released from the custody of the FMCDM; and
2. Anthony Stewart's release is conditioned upon fulfillment of all recommended conditions as set forth in the Bureau of Prison's CRL, which is hereby appended to this Order along with the COR, the RAP, the Letter of Acceptance of Supervision from U.S. Probation, District of New Jersey,

dated February 23, 2016, and the Acceptance Letter from the State of New Jersey Division of Mental Health Services, dated January 7, 2016.




Honorable William H. Walls, U.S.D.J.

This order is consented to by the parties:



Jacques S. Pierre, Esq.
Assistant United States Attorney



Andrea D. Bergman, Esq.
Assistant Federal Public Defender
Counsel for Anthony Stewart